

DRAFT

RESOURCE CONSERVATION AND RECOVERY ACT PERMIT

EPA Identification/Permit No: PAD 98 055 1162

Name of Permittee: East Coast Chemical Disposal, Incorporated

Issue Date:

Effective Date:

Expiration Date:

This permit issued under the authorization of the Resource Conservation and Recovery Act authorizes treatment and storage of hazardous wastes by

East Coast Chemical Disposal Incorporated  
365 Pleasantview Avenue  
Hackensack, New Jersey 07606

for the facility at

1971 Hartel Street  
Levittown, Pennsylvania 19058

The permittee shall act in accordance with all terms and conditions of this permit, whether stated verbatim or incorporated by reference.

Issued this \_\_\_\_\_ day of \_\_\_\_\_

by \_\_\_\_\_

General Conditions:

1. Definition

Specialized words used in this permit shall have the meanings and definitions set forth in 40 C.F.R. Parts 122 and 260.

2. Permit Compliance

a. Duty to comply

- (1) The permittee must comply with all conditions of this permit. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any condition of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action including permit termination, revocation and reissuance, or modification or for denial of a permit renewal application. In addition, criminal or civil actions may be brought in appropriate instances.
- (2) This permit may be modified, revoked, reissued, or terminated as defined in 40 C.F.R. §§122.15, 122.16, 122.17.
- (3) It is not a defense in an enforcement action for the permittee to assert that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) The terms of this permit do not affect the obligation of permittee to comply with all applicable Federal, State and local laws and regulations.

b. Imminent and Substantial Endangerment to Health and the Environment

Notwithstanding any other provisions of this permit, enforcement actions may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. §6973.

c. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from non compliance with this permit.

d. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit.

e. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

3. Construction Compliance

The permittee must submit to the Regional Administrator a letter signed by the permittee and an independent registered professional engineer stating that the hazardous waste container storage area was constructed as described in the attached Part B application. No hazardous waste container storage will be permitted until the EPA has inspected the new facility for compliance or has waived the requirement for inspection.

4. Personnel

a. Personnel Training

- (1) Facility personnel must complete the attached Part B application training program within three months after the date of their employment or assignment to the facility, or to a new position at the facility. Personnel must not work in unsupervised positions until they have completed the training program. Personnel must, where applicable, take part in annual reviews of the required initial training. Logs documenting completion of training will be maintained for each employee and kept for the duration of this permit.
- (2) If any person employed is not skillful in the English language, then the permittee will provide appropriate training in the primary language of the employee.

b. Emergency Coordination

The permittee will ensure that at all times there will be at least one employee designated as emergency coordinator either on the premises or on call (i.e., available to respond to an emergency by reaching the facility within a short period of time) with responsibility for coordinating all emergency response measures. The emergency coordinator

must in addition to carrying out the responsibilities specified in 40 C.F.R. §264.56, be thoroughly familiar with all aspects of the facility's contingency plan, all operations and activities at the facility, and the location layout. In addition, this person must have the authority to commit the resources needed to carry out the contingency plan in the attached Part B application.

5. Operation and Maintenance

a. Proper Operation and Maintenance

- (1) The permittee must at all times properly operate and maintain all facilities and systems of control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of backup of auxiliary facilities or similiar systems only when necessary to achieve compliance with the conditions of this permit.
- (2) The permittee must maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

b. Testing and Maintenance of Equipment

The permittee must test and maintain all facility communications or alarm systems, fire protection equipment, and any required spill control equipment to assure its proper operation in time of emergency, as outlined in the attached Part B application. This testing must be done at the time of permit issuance and must be done at least every six months from the date of issuance of this permit and records documenting the testing will be maintained at the facility for three years from the date of the testing.

c. Security

- (1) The permittee must prevent the unknowing entry and minimize the possibility for the unauthorized entry of persons or livestock onto the active portions of this facility. As described in the attached Part B application a fence will be constructed and maintained to completely surround the active portion of the facility and the permittee will provide security measures to control entry at all times through gates or other entrances to active portion of the facility.
- (2) The permittee must post signs which indicate that only authorized personnel are allowed to enter the active portion and that entry into the active portion can be dangerous. Such signs must be posted at each entrance to the active portion of the facility, and at other locations, in sufficient numbers to be seen from any approach to this active portion. This legend must be written and must be legible from a distance of at least 25 feet.
- (3) The permittee will provide in writing to the EPA the name of the security service that will patrol the facility on holidays, weekends, etc. When the permittee changes the service the EPA will be advised in writing within seven (7) days after the change.
- (4) The permittee will advise the EPA if unauthorized entry at the facility occurs causing hazardous waste to be discharged, the nature of problems, if any, that have resulted from this occurrence and corrective action taken by the facility to prevent future happenings. This includes any tampering, destruction or loss at the facility which causes release of hazardous waste.

d. Access to Communications or Alarm System

Whenever hazardous waste is being poured, mixed, or otherwise handled, the permittee must ensure that all personnel involved in the operation will have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee.

e. General Inspection Requirements

- (1) The permittee must inspect the facility as per the inspection plan outlined in the attached Part B application for malfunctions and deterioration, operator errors, and discharges.
- (2) The permittee must follow the written schedule outlined in the attached Part B application for inspection of monitoring equipment, safety and emergency equipment, security devices, and operating and structural equipment (such as dikes).
- (3) The permittee must remedy, according to a schedule approved by the EPA, any observed deterioration or malfunction of equipment or structure to ensure that the problem does not lead to an environmental or human health hazard. Where a hazard is imminent or a release has already occurred, remedial action will be taken immediately and reported, in writing, to the EPA, within seven (7) days after the occurrence.
- (4) The permittee must record inspections in an inspection log or summary. The log or summary shall be kept for at least three years from the date of inspection. At a minimum, these records will include the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions.
- (5) The permittee will notify the EPA when an unintended discharge of more than 50 gallons of hazardous waste occurs at any time in the total facility complex. A written report describing the incident and remedial measures taken will be submitted to the EPA within seven (7) days of the occurrence.

f. Waste Analysis Plan

The permittee must follow the waste analysis plan described in the attached Part B application and must keep this plan at the facility.

g. Implementation of Contingency Plan

The permittee must immediately carry out the provisions of the contingency plan contained in the attached Part B application whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents.

h. Copies of Contingency Plan

The permittee must keep a copy of the attached Part B application contingency plan and all revisions of this plan at the facility and will submit the plan and all revisions to all local Fire Departments, Hospitals, and State and Local Emergency Response Teams that may be called to provide emergency services.

i. Amendment of Contingency Plan

The permittee must review the contingency plan and submit the plan to the EPA for review whenever:

- (1) The Permit is revised;
- (2) The plan fails in an emergency;
- (3) The facility changes -- in its design, construction, plan or method of operation, storage capacity, maintenance, or other circumstances which exist on the date of issuance of this permit -- in a way that increases the potential for fires, explosions, or release of hazardous waste or hazardous waste constituents, or changes the response necessary in an emergency;
- (4) The list of emergency coordinators changes; or
- (5) The list of emergency equipment changes. (Note: a change in the lists of facility emergency coordinators or equipment in the contingency plan constitutes a minor modification to the permit to which the plan is a condition).

j. General Requirements for Ignitable, Reactive or Incompatible Wastes

- (1) The permittee must take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. This waste will be separated and protected from sources of ignition or reaction including, but not limited to: open flames,

smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical, or mechanical), spontaneous ignition (e.g., from heat-producing chemical reactions) and radiant heat. When ignitable or reactive waste is being handled, the permittee will prohibit smoking, hot surfaces, and open flames or any other source of ignition in at least the following designated locations: laboratory drum storage area. "No smoking" signs will be placed wherever there is a hazard from ignitable or reactive waste.

- (2) The permittee must take precautions to prevent reactions which:
  - (a) Generate extreme heat or pressure, fire or explosions, or violent reactions;
  - (b) Produced uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment;
  - (c) Produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosion;
  - (d) Damage the structural integrity of the device or facility; or
  - (e) Through other like means threaten human health or the environment.
- (3) The permittee must take precautions to prevent mixing of incompatible wastes in the same container.

k. Arrangements with Local Authorities

- (1) By the effective date of this permit the permittee will have:
  - (a) Familiarized the local Police Department, Fire Department, and State and Local Emergency Response Teams with the layout of the facility and associated hazards, places where facility personnel will normally be working, entrances to and roads inside the facility, and possible evacuation routes;



- (b) Informed local emergency groups of safety equipment suppliers or proper emergency safety procedures that are applicable to the site;
  - (c) Familiarized the local hospitals with the properties of hazardous wastes handled at the facility and the types of injuries or illnesses which could result from fires, explosions, or releases at the facility; and
  - (d) obtained an agreement from those Agencies in (1)(a) and (c) of this condition, designating primary emergency authority and support to the primary emergency authority.
- (2) Where State or local authorities decline to enter into such arrangements, the permittee must document the refusal in the operating record.

## 6. Monitoring

All samples and measurements taken for the purpose of monitoring incoming waste drums, containment collection liquids or other chemical process wastes must be representative of the waste and samples shall be collected as specified in the attached Part B application.

## 7. Records

Unless otherwise specified, all records and/or copies thereof required to be maintained by terms of this permit will be kept on-site for at least three years. This period may be extended by the request of the Regional Administrator at any time. All records, including plans required by this permit, must be furnished upon request and made available for inspection as outlined in regulation 40 C.F.R. §264.74.

### a. Monitoring Record

The permittee must retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation and sampling information.

b. Contents of Monitoring Record

Records of monitoring information shall include:

- (1) The date, exact place, and time of sampling or measurements;
- (2) The individual(s) who performed the sampling or measurements;
- (3) The date(s) analyses were performed;
- (4) The individual(s) who performed the analyses;
- (5) The analytical techniques or methods used; and
- (6) The result of such analyses.

c. Operating Record

The permittee must keep a written operating record at the facility. The following information will be recorded, as it becomes available, and maintained in the operating record until closure of the facility:

- (1) A description and the quantity of each hazardous waste received, and the methods(s) and the date(s) of its storage at the facility;
- (2) The location of hazardous wastes within the facility and the quantity at each location, and cross-reference to specific manifest documents numbers, if the waste was accompanied by a manifest;
- (3) Records and results of waste analysis performed;
- (4) Summary reports and details of all incidents that require implementation of the contingency plan;
- (5) Any required notices to generators;
- (6) All closure cost estimates; and
- (7) All inspection logs described in the attached Part B application.

d. Manifests

Whenever the facility receives hazardous wastes accompanied by a manifest, the permittee or its agent must:

- (1) Sign and date each copy of the manifest to certify that the hazardous waste covered by the manifest was received;
- (2) Note any significant discrepancies in the manifest on each copy of the manifest;
- (3) Immediately give the transporter at least one copy of the signed manifest;
- (4) Within thirty (30) days after the delivery, send a copy of the manifest to the generators; and
- (5) Retain at the facility a copy of each manifest for at least three (3) years from the date of delivery.

e. Manifest Discrepancies

Upon discovering a significant discrepancy (defined in regulation 40 C.F.R. §264.72) the permittee will attempt to reconcile the discrepancy with the waste generator or transporter. If the discrepancy is not resolved within fifteen (15) days after receiving the waste the permittee will immediately submit to the Regional Administrator a letter describing the discrepancy and attempt to reconcile it, and a copy of the manifest or shipping paper at issue.

f. Personnel Records

The permittee must maintain the following documents and records at the facility:

- (1) The job title for each position at the facility relating to hazardous waste management, the name of the employee filling each job, and a written job description for the position. This description, at a minimum, will include the requisite skill, education, other qualifications and duties of employees assigned to each position.

- (2) A written description of the amount and type of both introductory and continuing training that will be given to each person filling a position relating to hazardous waste management; and
- (3) Record documenting that the required training has been given to, and successfully completed by, facility personnel.

g. Availability, Retention, and Disposition of Records

- (1) The permittee must furnish all required records, including plans, upon request and must make these records available at all reasonable times for inspection by any officer, employee, or representative of the EPA who is duly designated by the Administrator.
- (2) The retention period for all required records is extended automatically during the course of any unresolved enforcement action regarding the facility or as required by the Regional Administrator.

8. Other Conditions

a. Duty to Provide Information

The permittee must furnish to the Regional Administrator, within a specified time, any information which the Regional Administrator may request to determine whether cause exists for modifying, revoking and reissuing or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Regional Administrator, upon request, copies of records required to be kept by this permit.

b. Planned Changes

The permittee must give notice to the Regional Administrator as soon as possible of any planned physical alterations or additions in the permitted facility or activity. This requirement shall not be construed to authorize noncompliance.

c. Transfer

This permit is not transferable to any person except after notice to the Regional Administrator and upon written consent to its terms and conditions by the new owner and operator. The Regional Administrator may require modification or a "minor modification" (regulation 40 C.F.R. §122.17) or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act.

d. Signatory Requirements

All reports required by this permit and any other information requested by the Regional Administrator must be signed by the corporate president or vice president or a duly authorized representative who has authority to commit the company.

e. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any compliance schedule of this permit must be submitted no later than fourteen (14) days following each scheduled date.

f. Twenty-four Hour Reporting

The permittee must report any noncompliance which may endanger health or the environment such as a spill of more than 50 gallons of a hazardous waste, a fire, an explosion, any occurrence which requires the use and operation of the contingency plan, or other such occurrences. Any information shall be provided orally as soon as possible but no later than 24 hours from the time the permittee becomes aware of the circumstances.

- (1) The following information must be reported orally as soon as possible, but no later than 24 hours after the incident has occurred:

- (a) Information concerning release of any hazardous waste that may endanger public drinking water supplies;

- (b) Any information relating to a release or discharge of hazardous waste, or to a fire or explosion from the facility, which could threaten the environment or human health outside the facility. The description of the occurrence and its cause shall include:
  - (i) Name, address, and telephone number of the facility;
  - (ii) Date, time, and type of incident;
  - (iii) Name and quantity of material(s) involved;
  - (iv) The extent of injuries, if any;
  - (v) An assessment of actual or potential hazards to the environment or human health outside the facility, where this is applicable; and
  - (vi) Estimated quantity and disposition of recovered material that resulted from the incident.
  - (vii) Name of an emergency contact if different than emergency coordinator.

- (2) A written submission must be provided within seven (7) days of any orally reported noncompliance. This submission must contain a description of the noncompliance and its cause; the date and time(s); and if the noncompliance has not been corrected, the anticipated time it is expected to continue and projected date when it will be corrected; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

g. Other Noncompliance

The permittee must report all instances of noncompliance not reported under paragraphs (a), (b), (e), and (f) above at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (f) of this condition.

h. Mandatory Notification Procedures

- (1) The permittee must notify the Regional Administrator in writing at least four (4) weeks in advance of the date the permittee expects to receive hazardous waste imported from a foreign country. Notice of subsequent shipments of the same type of hazardous waste from the same foreign country is not required.
- (2) Prior to receiving hazardous waste from an off-site source the permittee must inform the generator in writing that the permittee has the appropriate permit(s) for, and will accept, the waste the generator is shipping. The permittee must keep a copy of this written notice as part of the operating record.

i. Unmanifested Waste Report (40 C.F.R. §264.76)

If the facility accepts hazardous waste for treatment or storage without an accompanying manifest or shipping paper, then the permittee must prepare and submit a single copy of a report to the Regional Administrator within 15 days after receiving the waste, unless the waste is excluded from the manifest requirement. The report form and instructions in Appendix II of 40 C.F.R. Part 264 will be used for this report. The report must include the following information:

- (1) The EPA identification number, name and address of the facility;
- (2) The date the facility received the waste;
- (3) The EPA identification number, name and address of the generator and the transporter if available.
- (4) A description and the quantity of each unmanifested hazardous waste received;
- (5) The method of treatment or storage; and
- (6) The certification signed by the permittee or the owner or his authorized representative.

j. Government Inspection and Entry

The permittee shall allow the Regional Administrator or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- (1) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- (2) Have access, at reasonable times, to copy any records that must be kept under the conditions of this permit;
- (3) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (4) Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the appropriate Act, any substances or parameters at any location.

9. Closure (40 C.F.R. Part 264 Subpart G)

- a. The permittee must follow the closure plan as outlined in the Part B application.
- b. A copy of the closure plan and all revisions to it must be kept at the facility until closure is completed and such completion has been certified by an independent, registered, professional engineer.
- c. Whenever there are changes of operation during the active life of the facility (defined as that period during which wastes are periodically received) which affect the closure plan, the plan must be amended. The permittee must submit to the Regional Administrator proposed amendments of the plan wherever changes in operating plans or facility design affect the closure plan, or whenever there is a change in the expected year of closure. When the permittee requests a permit modification to authorize a change in operating plans or facility design, the permittee must submit a modification of the closure plan at the same time. If the operations or design changes are authorized by the Regional Administrator, the closure plan must reflect



the authorized changes. If a permit modification is not needed to authorize the change in operating plans or facility design, the request for modification of the closure plan must be made within 60 days after the change in plans or design occurs.

- d. The permittee must notify the Regional Administrator at least 180 days prior to the date it expects to begin closure.
- e. When closure is completed, the permittee must submit to the Regional Administrator certification both by the permittee and by an independent registered professional engineer that the facility has been closed in accordance with the specifications in the approved closure plan. At closure of the facility, the permittee will ensure that any remaining containers, liners, bases, and spills that contain hazardous waste or hazardous waste residue are disposed of in accordance with applicable environmental regulations.

10. Financial Responsibility (40 C.F.R. Part 264 Subpart H)

- a. Whenever a change in the closure plan affects the cost of closure, the permittee must prepare a new cost estimate and accordingly adjust the amount of funds available through the financial assurance mechanism.
- b. The permittee must comply with the requirements of financial responsibility for the cost of closure of the facility set forth in 40 C.F.R. Part 264, Subpart H, on or before July 6, 1982, or by the effective date of the permit if this date is later than July 6, 1982. The permittee will submit appropriate documentation to the EPA of its compliance with these requirements forty-five (45) days prior to the effective date. Regardless of whether this documentation is submitted and initially approved on or before the effective date of 40 C.F.R. Parts 264 and 265, the permittee must comply with all deadlines set forth in the regulations.
- c. The permittee must comply with the requirements set forth in 40 C.F.R. Part 264, Subpart H for liability coverage for bodily injury and property damage to third parties resulting from facility operations by July 15, 1982, or by the effective date of the permit if this date is later than July 15, 1982. The permittee will submit appropriate documentation to the EPA forty-five (45) days prior to the effective date. Regardless of whether this documentation is approved before the effective date, the permittee must comply with all deadlines set forth in the regulations.

Special Conditions

1. Permit Period

This permit is issued for a period of ten 10) years from this date and shall expire on unless terminated.

2. Description of Material

Hazardous waste permitted to be stored at the facility shall be limited to those wastes listed below:

- |      |  |
|------|--|
| D001 | General ignitable waste solvents (flash point less than 140° F).   |
| F001 | The spent halogenated solvents used in degreasing and other applications, tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1, trichloroethane, carbon tetrachloride, and the chlorinated fluorocarbons; and sludges from the recovery of these solvents.                |
| F002 | The spent halogenated solvents, tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1, trichloroethane, chlorobenzene, 1,1,2 trichloro 1,2,2 trifluoroethane, ortho-dichlorobenzene and trichlorofluoromethane, and the still bottoms from the recovery of these solvents. |
| F003 | The spent non-halogenated solvents, xylene, acetone, ethyl acetate ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone and methanol, and the still bottoms from the recovery of these solvents.   |
| F005 | The spent non-halogenated solvents, toluene, methyl ethyl ketone, methyl isobutyl ketone, carbon disulfide, isobutanol, pyridine, and still bottoms from the recovery of these solvents.   |
| K086 | Solvent washes and sludges, caustic washes and sludges or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead.   |

U002	Acetone
U031	N-butyl alcohol
U044	Chloroform
U045	Chloromethane
U075	Dichlorodifluoromethane
U080	Dichloromethane
U112	Ethyl acetate
U140	Isobutyl alcohol
U154	Methanol
U159	Methyl ethyl ketone
U161	Methyl isobutyl ketone
U171	2-Nitropropane
U210	Tetrachloroethylene
U213	Tetrahydrofuran
U220	Toluene
U226	1,1,1, Trichloroethane

3. Amount of Material

Total storage capacity shall not exceed 300/55 gallon containers.

4. Storage Requirements

a. Management of Containers

- (1) Hazardous wastes shall be stored in containers that are maintained in good condition with no evidence of leaks, severe rusting, bulging, corrosion, or apparent structural defects. If a container is not in good condition or begins to leak, all hazardous waste shall be transferred from this container to a container that is in good condition or the waste shall be managed in some other way that complies with the requirements of regulation 40 C.F.R. §264.171.
- (2) Containers shall be made of or lined with materials which will not react with, and are otherwise compatible with, the hazardous waste to be stored, so that the ability of the container to contain the waste is not impaired.
- (3) A container holding hazardous waste shall always be closed during storage except when it is necessary to add or remove waste.

- (4) Containers holding hazardous waste shall not be opened, handled, or stored in a manner which may rupture the container or cause it to leak.
- (5) All containers shall be stored in the designated area outlined in the Part B application.
- (6) Containers shall be stored and stacked in accordance with the following requirements:
  - (a) ignitable and reactive hazardous waste stored in containers shall be stacked no greater than two (2) high. The storage configuration of these containers shall be groups of four (4) wide and four (4) deep, or the containers shall be grouped so that the maximum width of a group is no greater than the area that would contain two 55 gallon drums wide, with the depth of the group so limited that at least a five foot wide aisle surrounds the group. Each group of four (4) by four (4) shall be separated by at least a five (5) foot wide aisle.
  - (b) All non-ignitable and non-reactive hazardous waste stored in containers shall be stacked no greater than three (3) high. The maximum width of a group of containers shall be no greater than four 55-gallon drums wide. The maximum depth shall be limited to the number of drums which will allow a minimum aisle width of two feet six inches at both ends of a row. The minimum aisle space between and surrounding groups of containers shall be no less than two feet six inches. The width shall be sufficient to insure access for purposes of inspection, containment and remedial action with emergency vehicles.
- (7) All containers holding ignitable or reactive waste shall be at least 15 meters (50 feet) from the facility's property line, as outlined in the attached Part B application.
- (8) Ignitable or reactive waste stored in containers shall comply with requirements of General Condition 5.j. of this permit.

- (9) The permittee shall inspect, as outlined in the attached Part B application, the area where containers are stored, looking for leaking, rusting, or bulging containers and for other deterioration of containers (i.e., punctures) and containment system. Inspections must be executed in accordance with the attached Part B application Inspection Plan.

b. Storage Cell Requirements

- (1) The concrete base underlying the containers shall be a minimum of 6 inches thick, maintained free of cracks or gaps and shall be sufficiently impervious to contain leaks and spills. The concrete shall be of a high quality and have a compressive strength of at least 3500 PSI.
- (2) Each storage cell collection system will maintain the capacity to contain 10% of the total volume of all the containers stored in the containment area as outlined in the attached Part B application. Containers shall be elevated in accordance with the attached Part B application.
- (3) Any hazardous waste that spills or leaks shall be removed from the collection area in as timely a manner as is necessary to prevent overflow of the collection system.
- (4) Any material removed from the collection system (if it meets the definition of a hazardous waste in regulation 40 C.F.R. Part 261) shall be returned to a hazardous waste container, transferred to other hazardous waste management facilities included in this permit or managed in some other way that complies with applicable requirements of 40 C.F.R. Parts 262-264 and complies with the other requirements of this permit.
- (5) Any deterioration of or malfunction in equipment or structures of the containment system (including leaks, cracks, permeable areas) revealed by any inspection shall be remedied by the permittee on a schedule approved by the EPA.

c. Special Requirements For Incompatible Waste

- (1) Incompatible waste or materials are not to be stored in the same container unless the requirements of General Condition 5.j. of this permit are complied with.
- (2) Hazardous waste shall not be placed in an unwashed container that previously held an incompatible waste or material.
- (3) Any storage container holding hazardous waste that is incompatible with any waste or other materials stored nearby in other containers shall be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.

5. Treatment Requirements

a. General Requirement

Containers used for physical treatment of waste shall be subject to all General and Special Conditions in this permit relating to containers.

b. Operating Requirements

- (1) Physical treatment of hazardous wastes listed in the Part A application must be confined to addition of inert thickening agents and neutralizing agents, acids and bases to 55 gallon containers.
- (2) All treatment must take place in the area described in the attached Part B application. This area shall be covered and have a containment area as shown in the attached Part B application. This area is subject to all conditions of 40 C.F.R. §264.175.
- (3) The permittee must use appropriate controls to prevent spillage from uncovered containers. Sufficient freeboard must be maintained to prevent overtopping during the addition of thickening agents and mixing of the contents.

(4) Materials that are incompatible with the contents of a container or with the material of construction of a container shall not be placed in a container.

(a) Waste analysis and trial treatment tests (e.g. bench scale tests) shall be conducted to ensure compatibility.

(5) The owner or operator of a treatment facility must inspect the construction materials of the surrounding area and dikes, at least weekly, to detect erosion, cracks or obvious signs of leakage.


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

841 Chestnut Building  
Philadelphia, Pennsylvania 19107

**SUBJECT:** RCRA Draft Permit  
East Coast Chemical Disposal, Inc.  
Marcus Hook, PA - PAD 98 070 6162

**DATE:** JUL 23 1985

**FROM:**   
Robert Allen, Chief  
Waste Management Branch

**TO:** Stephen R. Wassersug, Director  
Hazardous Waste Management Division

Attached for your concurrence is the subject draft permit for a new commercial drum storage and treatment facility. Also provided is a joint EPA-DER Public Notice, announcing preparation of a draft permit.

The Public Notice addresses the issue that the applicant has reported there are no solid waste management units (SWMU's) at the proposed site.

cc: Roland W. Schrecongost  
Deputy Director  
Hazardous Waste Management Division



- FACT SHEET -

FOR DRAFT PERMIT

This fact sheet has been developed for the draft Resource Conservation and Recovery Act (RCRA) permit which EPA intends to issue to East Coast Disposal Incorporated (ECCD) for a new storage and treatment facility in Marcus Hook, PA (Permittee). This fact sheet was prepared in accordance with the requirements of 40 CFR §124.8.

A. PURPOSE OF THE PERMITTING PROCESS

The purpose of the permitting process is to afford the Environmental Protection Agency (EPA), interested citizens and other governmental agencies the opportunity to evaluate the ability of the Permittee to comply with the applicable hazardous waste management requirements promulgated under the Solid Waste Disposal Act (commonly referred to as the Resource Conservation and Recovery Act or "RCRA"). EPA is required to prepare a draft permit which sets forth in one concise document all the applicable requirements with which the Agency intends to require the Permittee to comply during the ten-year duration of the permit. The public is given forty-five days to review the application and comment on the draft permit conditions prior to EPA taking any final action on the application for a hazardous waste management permit.

B. PROCEDURES FOR REACHING A FINAL DECISION

Section 7004(b) of RCRA and 40 CFR §124.10 require that the public be given forty-five (45) days to comment on each draft permit prepared under the Resource Conservation and Recovery Act. The comment period will begin on 8/2/85 and will end on 9/16/85. Any person interested in commenting on the application or draft permit must do so within this forty-five (45) day comment period.

All persons wishing to comment on any of the permit conditions or the permit application should submit the comments in writing to the Environmental Protection Agency (EPA), Region III, at 841 Chestnut Building, Philadelphia, Pennsylvania 19107, Attention: Mr. Stephen R. Wassersug, Director, Hazardous Waste Management Division (3HW00). Comment should include all reasonably available references, factual grounds and supporting material.

In the event EPA receives written notice of opposition to the draft permit and a request for a public hearing within the comment period referenced above, a hearing shall be scheduled at a location convenient to the population center nearest to the proposed facility. Public notice of the public hearing shall be given at least 30 days before the hearing. Any requests for a public hearing accompanied by written opposition to the draft permit should be addressed to the Mr. Stephen R. Wassersug, Director, Hazardous Waste Management Division, Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107.

When making a final determination regarding the issuance of a hazardous waste permit to East Coast Chemical disposal Inc., EPA will consider all written comments received during the comment period, any oral or written statements received during the public hearing (if requested), the requirements of the hazardous waste regulations of 40 CFR Parts 124, 260-264, and 270 and the Agency's permitting policies.

When EPA makes a final permit decision to either issue, deny or modify the permit, notice will be given to the applicant and each person who has submitted written comments or requested notice of the final decision. The final permit decision shall become effective thirty (30) days after the service of notice of the decision unless a later date is specified or review is requested under 40 CFR §124.19. If no comments requested a change in the draft permit, the final permit shall become effective immediately upon issuance.

Contact person for the ECCD draft permit is:

Mr. Gilbert Horwitz 3HW33  
U. S. Environmental Protection Agency  
Region III  
841 Chestnut Building  
Philadelphia, Pennsylvania 19107  
(215) 597-0568

### C. FACILITY DESCRIPTION

ECCD has applied to EPA to operate a facility for storage and treatment of Hazardous Waste in drums only, to service the need of small and medium volume generators. The customers of the facility will be those generators who do not have the facilities for adequate handling of the wastes they produce.

Containerized waste materials will be brought to the site in Marcus Hook, Delaware County, Pennsylvania in 55 gallon drums. The waste accepted will be segregated according to their chemical and physical characteristics as determined by both pre-acceptance chemical analysis and spot checks on received materials.

The treatment processes to be used will be specific to each class of waste treated. Typical processes to be employed include neutralization, in drums only. In addition, recoverable solvents will be collected for off-site processing by a resource recovery facility. Solids and sludges generated will be disposed of at an approved and fully permitted land disposal facility. Specific treatment processes to be used for each class of waste materials will be a part of each waste analysis submitted for approval before the waste is accepted by the facility.

Figure I presents a 7-1/2 minute USGS map of the Marcus Hook Quadrangle. Indicated on this map are the site and the site boundaries. Figure II contains a drawing showing, land use in the area.

The treatment and storage areas will both have containment systems in the event of a spill or leak. The storage and treatment facility will have 15 storage cells to ensure compatibility of waste and a separate area for treatment in drums.

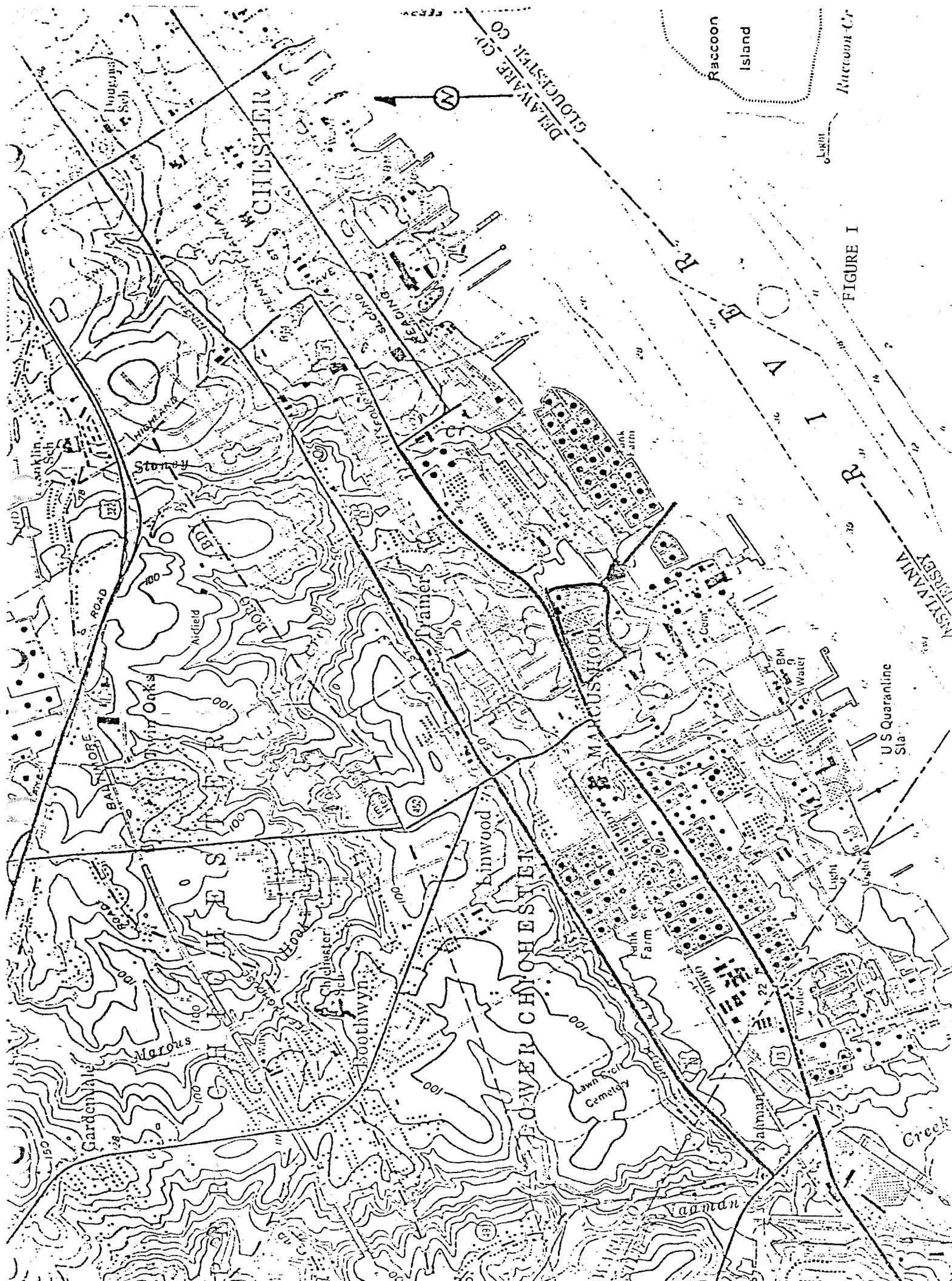
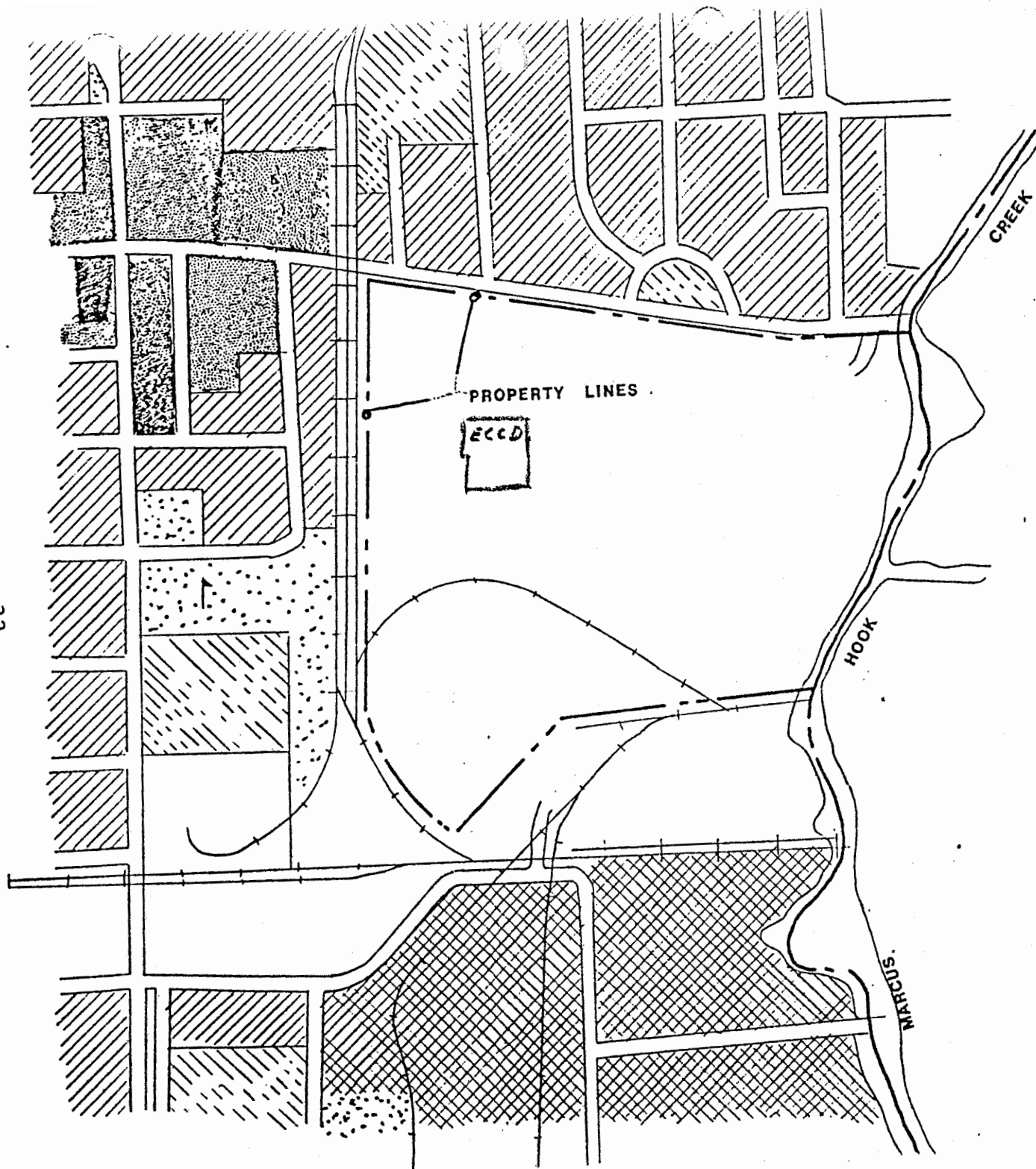







FIGURE I

FIGURE II

# **SURROUNDING LAND USE**



-  PARKS
-  RESIDENTIAL
-  INSTITUTIONAL
-  COMMERCIAL
-  LIGHT INDUSTRY
-  HEAVY INDUSTRY

NOTE: information taken from  
JOINT COMPREHENSIVE PLAN for  
Trainer, Marcus Hook, Lower  
and Upper Chichester twp.  
DATED SEPT. 1978

SCALE: 1"=1000'

The total capacity limit for 15 storage cells is 5000-55 gallon drums.

The hazardous waste streams that the applicant plans to treat and store are as follows:

<u>Cell</u>	<u>Hazardous Waste Description</u>	<u>No. of Drums (Limit)</u>	<u>Volume (GAL) (Limit)</u>
1	Flammable and Combustible solvents	444	24,420
2	Caustics	444	24,420
3	Halogenated Organics	444	24,420
4	Acids	444	24,420
5	Metals - Metal Compounds	444	24,420
6	Polymerizable Compounds	264	14,520
7	Oxidizing Agents	264	14,520
8	Water Reactive Substances	264	14,520
9	Flammable and Miscellaneous Materials	308	16,940
10	Fluorides - Inorganic Materials	360	19,800
11	Acids	260	14,300
12	Metal Compounds, Plating Wastes, Pesticides, Inorganic Pigments	520	28,600
13	Metal Compounds, Plating Wastes, Pesticides, Inorganic Pigments	300	16,500
14	Halogenated Organic	120	6,600
15	Acrylonitrile Waste	120	6,600

#### D. PERMIT ORGANIZATION

The permit is divided into 3 sections as outlined below.

<u>Section</u>	<u>Topic</u>
Part I	Standard Conditions
Part II	General Facility Conditions
Part III	Storage and Treatment Facility Conditions

Parts I and II contain conditions which generally apply to all hazardous waste facilities. Part III pertains specifically to the hazardous waste facilities at the East Coast Chemical Disposal Inc. plant.

#### E. SUMMARY OF THE PERMIT CONDITIONS

This section of the fact sheet provides a summary of the conditions in the draft permit. The column titled "Regulation" provides the regulatory authority for the permit condition specified in the column titled "Permit Condition". For convenience in reviewing the permit application, the column headed "Location in Application" is provided. The permit application cited in this section is the November 2, 1982, permit application, as amended on December 14, 1983 and June 1984.



## PART I

## STANDARD CONDITIONS

Part I of the permit sets forth the standard procedural conditions that are applicable to all hazardous waste management facilities. All citations of the regulations refer to the regulations as codified in Title 40 of the Code of Federal Regulations (40 CFR).

<u>Permit Condition</u>	<u>Subject</u>	<u>Regulation (40 CFR)</u>
I.A	Effect of Permit	§270.4
		§270.30(g)
I.B	Permit Actions	§270.30(f)
		§270.41
		§270.42
		§270.43
I.C	Severability	§124.16(a)

I.D	Definitions	Part 264
		Part 260
		Part 270
I.E	Reports, Notifications, and Submissions to the Regional Administrator	
I.F	Signatory Requirement	§270.11
		§270.30(k)
I.G	Documents to be Maintained at Facility Site	§264.13
		§264.16(d)
		§264.53(a)
		§264.112(a)
		§264.73
		§264.15(b)
		§264.142(d)
I.H	Duties and Requirements	
I.H.1	Duty to Comply	§270.30(a)
I.H.2	Duty to Reapply	§270.30(b)
		§270.10(h)

I.H.3	Permit Expiration	\$270.51
I.H.4	Need to Halt or Reduce Activity	\$270.30(c)
I.H.5	Duty to Mitigate	\$270.30(d)
I.H.6	Proper Operation and Maintenance	\$270.30(e)
I.H.7	Duty to Provide Information	\$270.30(h) \$264.74(a)
I.H.8	Inspection and Entry	\$270.30(i)
I.H.9	Monitoring and Records	\$270.30(j)
I.H.10	Planned Changes	\$270.30(1)(1) and (2)
I.H.11	Transfer of Permit	\$270.40 \$270.30(1)(3)
I.H.12	Twenty-four Hour Reporting	\$270.30(1)(6) \$264.56(d)(1) & (j)

I.H.13	Other Noncompliance	\$270.30(1)(10)
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I.H.14	Other Information	\$270.30(1)(11)
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## [OPTIONS]

I.H.15	Documents to be submitted prior to operation	
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I.H.16	Certification of Con- struction or Modification	\$270.3(1)(2)
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Cover Page	Other	Part 124
		Part 260
		Part 261
		Part 262
		Part 263
		Part 264
		Part 270

## PART II

## GENERAL FACILITY CONDITIONS

Part II of the permit sets forth general conditions for this facility with which the Permittee must comply. All citations of the regulations refer to the regulation as codified in Title 40 of the Code of Federal Regulations (40 CFR). NOTE: N.C. = NOT COVERED - the application is not required to cover this topic.

<u>Permit</u> <u>Condition</u>	<u>Subject</u>	<u>Regulation</u> <u>(40 CFR)</u>	<u>Location in</u> <u>Application</u>
II.A	Design & Operation of the Facility	\$264.31	Subpart C- pg 1
II.B	Waste Analysis	\$264.13	Subpart B - pg 8 a,b
II.C	Inspection Requirements	\$264.15	Subpart B - pg 4
II.D	Personnel Training	\$264.16	Subpart B - pg B27 to B54
II.E	Preparedness and Prevention		Subpart C - pg 1-3 " D - pg 1-15

II.E.1	Required Equipment	\$264.32	Subpart C - pg 1
II.E.2	Testing and Maintenance of Equipment	\$264.33	Subpart C - pg 1
II.E.3	Access to Communications or Alarm System	\$264.34	Subpart C - pg 2
II.E.4	Required Aisle Space	\$264.35	Subpart C - pg 2
II.E.5	Arrangements with Local Authorities	\$264.37	Subpart C - pg 2
I.F	Contingency Plan		Subpart D - pg 1-17
II.F.1	Implementation of Contingency Plan	\$264.51	Subpart D - pg 1
II.F.2	Copies	\$264.53	Subpart D - pg 7
II.F.3	Amendment of Contingency Plan	\$264.54	Subpart D - pg 7
II.F.4	Emergency Coordinator	\$264.55	Subpart D - pg 8
II.F.5	Emergency Procedures	\$264.56	Subpart D - pg 8-17

II.G	Recordkeeping & Reporting		
II.G.1	Operating Record	\$264.73	N.C.
II.G.2	Biennial Report	\$264.75	N.C.
II.G.3	Required Reports	\$264.74	N.C.
II.H	Closure		
II.H.1	Closure Performance Standard	\$264.111	Subpart G pg 1
II.H.2	Closure Plan Amendment	\$264.112	N.C.
II.H.3	Notification of Closure	\$264.113	N.C.
II.H.4	Time Allowed for Closure	\$264.113	Subpart 6 pg 2
II.H.5	Disposal or Decontamination of Equipment	\$264.114	Subpart 6 pg 2
II.H.6	Certification of Closure	\$264.115	Subpart 6 pg 2
II.I	Cost Estimate for Facility	\$264.142	Subpart H pg 1

II.I.1	Annual Adjustment	\$264.142(b)	Subpart H - pg 2
II.I.2	Adjustment for Changed Conditions	\$264.142(c)	N.C.
II.I(3)	Availability	\$264.142(d)	N.C.
II.J	Incapacity of Owners, Guarantors or Financial Institutions	\$264.148	N.C.
II.K	Required Notices	\$264.12	N.C.
II.L	General Requirements for Ignitable, Reactive, or Incompatible Waste	\$264.12	N.C.
II.M	Manifest System	\$264.71 \$264.72 \$264.76	Subpart E - pg 1
[OPTIONS]			
II.N	Financial Assurance for Facility Closure	\$264.12	N.C.
II.O	Liability Requirements	\$264.147	
II.P	Security	\$264.14	Subpart B pg 4



## PART III

## STORAGE AND TREATMENT IN CONTAINERS

Part III of the permit sets forth conditions for storage in containers with which the Permittee must comply. All citations of the regulations refer to the regulations as codified in Title 40 of the Code of Federal Regulations (40 CFR).

<u>Permit Condition</u>	<u>Subject</u>	<u>(40 CFR)</u>	<u>Application</u>
III.A	Waste Identification	\$264.13	Subpart B pg 1-4
II.B	Condition of Containers	\$264.171	Subpart I pg 1
III.C	Placement Requirements	\$264.176	Attachment - Facility
		\$264.177	Drawing
III.D	Compatibility of Wastes with Containers	\$264.172	Subpart I pg 1
III.E	Management of Containers	\$264.173	Subpart I pg 1
III.F	Containment	\$264.175	Attachment Facility
			Drawing

III.G	Special Requirements	\$264.17	Subpart I pg 2
	for Ignitable or	\$264.176	
	Reactive Wastes		
III.H	Special Requirements	\$264.17	Subpart I pg 2
	for Incompatible	\$264.177	
	Wastes		
II.I	Special Requirements for	\$264.17	
	Facility Drawing		
	Container Storage and		
	Treatment Area Bases		
II.J	Requirement for Treatment		Subpart B pg 1
	in Containers		

#### F. VARIANCES

East Coast Chemical Disposal Inc. has not requested any variances or waivers. Therefore, no variances or waivers have been given.

#### G. JUSTIFICATION OF PERMIT CONDITIONS

The regulations specify facility standards and require the permit writer to set specific conditions in the permit describing exactly how the Permittee is to comply with the regulatory standard. In certain instances the regulations allow the Permittee alternative means for complying with a particular requirement. This section of the fact sheet will indicate either the permit conditions that specify which alternative the Permittee has chosen or the permit conditions to comply with specific 40 CFR Part 264 technical standards. In addition, a brief justification for each of these conditions will be provided.

<u>Permit Condition</u>	<u>Description/Justification</u>
II.B	ECCD will require of generators supplying wastes to ECCD a complete chemical and physical description of the waste prior to acceptance. Shipments of waste will be analyzed for specific gravity, flash point to and specific organic and in organic Analysis to verify the identify of the waste described on the manifest prior to transfer from ECCD trucks to the container Storage facility. Composited smmples are analyzed to verify the identify of incoming waste.
II.C	ECCD has provided a detailed inspection schedule which EPA has approved. The schedule meets the requirements of 40 CFR §264.15 and §264.194.
II.D	ECCD provided a detailed training program which EPA has determined will provide adequate training for personnel associated with the hazardous waste management facility.
II.E and F	EPA has determined that the procedures and equipment ECCD has detailed in their application meet the requirements for Preparedness and Prevention, Contingency Plan, and Emergency Procedures.
II.G	Self-Explanatory
<u>Permit Condition</u>	<u>Description/Justification</u>
II.H	The closure plan submitted by ECCD meets the closure performance standard, all other applicable closure requirements and has been approved by EPA.
II.I	EPA has reviewed and approved ECCD's closure cost estimate as providing sufficient funds for closing the container storage facility at this time. ECCD is required to adjust the approved closure cost estimate annually in accordance with 40 CFR §§264.12 to take into account the inflation rate for the previous year.
II.J thru M	Self Explanatory
II.P	EPA has reviewed and approved ECCD's security provisions.

Part III.H.4 Self explanatory.

Part III.I This permit condition ensures that in the event of of a leak or spill from a container, that there will be a protective coating over the Treatment and Storage cell bases and spill collection areas.

Part III.J There are no RCRA regulation for treatment in containers. Therefore, this activity is covered by the permit via, operating requirements. (Container requirements which are in the regulations and permit must be followed.

H. JUSTIFICATIONS FOR NOT INCLUDING CERTAIN PERMIT CONDITIONS

1. EPA has not included in this permit, conditions related to the 40 CFR §264.18 location standards since the ECCD facility is not located in an area subject to seismic standards is above the 100-year floodplain.
2. Since ECCD's Closure Plan specifies that all hazardous waste containers will be removed and the equipment either decontaminated or disposed of as hazardous waste, EPA has not included specific conditions for post closure care.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL RESOURCES  
1875 New Hope Street  
Norristown, Pennsylvania 19401  
215-270-1948

RECEIVED  
PA SECTION

JUN 4 1987

EPA, R3

June 1, 1987

Mr. Louis Maslow  
Green Hill Apartments, Apt. W414  
101 City Avenue  
Philadelphia, Pennsylvania 19151

Dear Mr. Maslow:

We have completed our review of your hazardous waste management Part B application submitted in the name of East Coast Chemical Disposal, Inc. involving the construction and operation of a commercial hazardous waste storage facility to be located at 201 East Tenth Street, Marcus Hook Borough, Delaware County.

Your company, East Coast Chemical Disposal, Inc., has failed to respond to the last review letter from the Department dated October 11, 1985, even though representatives of this office met with representatives of your company in August of 1986 and requested the finalized version of the hazardous waste Part B application on which a draft permit would be based. East Coast Chemical Disposal, Inc. has not responded to the Department's letter of January 5, 1987 requesting the finalized version of the hazardous waste Part B application. This is in violation of 25 PA Code, Section 75.265(z)(7), which states that failure to furnish in full the information required by the Part B application shall be grounds for termination of interim status or denial of a permit application. This failure to supply the requested information within 90 days of the Department's request also constitutes sufficient grounds for denial of your application pursuant to 25 PA Code, 75.22(c).

Your company has failed to submit the landowner consent form for the current property owner which is Marcus Hook Business & Commerce Center. Your original landowner consent form submitted in the hazardous waste Part B application is no longer valid for this reason. This is in violation of 25 PA Code, Section 75.265(z)(11)(iii) and Section 502(b) of the Solid Waste Management Act of 1980, 35 P.S. §6018.502(b), which states that the contractual consent of landowner form must be provided. This is interpreted to mean with the current landowner of the property where you plan to construct your hazardous waste commercial storage facility.

Your company has also failed to submit the necessary bond covering the total liability for closure of this proposed facility in violation of the Pennsylvania Solid Waste Management Act, the Act of July 7, 1980, No. 97, P.L. 380, P.S. §§6018.505(a) and 25 PA Code 75.311, which require hazardous waste management storage facilities to be bonded for an amount based upon the total estimated cost for the Commonwealth to complete final closure.

Mr. Louis Maslow

June 1, 1987

- 2 -

There has been a history of violations of both the Solid Waste Management Act and the Pennsylvania Clean Streams Law at Metro Container Corporation (Metro) located in Trainer Borough, Delaware County. The listing of these violations will read as follows:

1. Disposing of residual waste on the surface of the ground without a permit in violation of Section 301, the Pennsylvania Solid Waste Management Act of 1980 on May 21, 1986, June 19, 1986, September 22, 1986, December 10, 1986, February 17, 1987 and May 19, 1987.
2. Disposing and/or processing residual waste in violation of Section 302(d)(1), 302(d)(2) and 302(d)(3) of the Pennsylvania Solid Waste Management Act of 1980 on May 21, 1986, June 19, 1986, September 22, 1986, December 10, 1986, February 17, 1987 and May 19, 1987.
3. Operation of a residual waste incinerator in violation of 25 PA Code §§5.30(m) and 75.30(g) on May 21, 1986, June 19, 1986, September 22, 1986, December 10, 1986, February 17, 1987 and May 19, 1987.
4. Discharging industrial waste to the surface of the ground and into both groundwater and surface waters in violation of Sections 301 and 307 of the Pennsylvania Clean Streams Law by discharging a polluting substance to the surface of the ground and into both groundwater and surface water in violation of Section 401 of the Pennsylvania Clean Streams Law on May 21, 1986, June 19, 1986, September 22, 1986, December 10, 1986, February 17, 1987 and May 19, 1987.
5. Failure to submit and implement an acceptable Preparedness, Prevention and Contingency Plan in violation of 25 PA Code §101.3(b).

This indicates an unwillingness to comply with Pennsylvania environmental statutes which would prevent us from issuing this permit. Metro is owned by you, a principal party in East Coast Chemical Disposal, Inc. The Pennsylvania Solid Waste Management Act, the Act of July 7, 1980, No. 97, P.L. 380, P.S. §6018.503(d) states that any person or municipality which is engaged in unlawful conduct as defined in this Act, or whose partner, associate, officer, parent corporation, subsidiary corporation, contractor, subcontractor, or agent has engaged in such unlawful conduct, shall be denied any permit or license required by this Act unless the permit or license application demonstrates to the satisfaction of the Department that the unlawful conduct has been corrected. The Department finds that you have not yet corrected the above-stated unlawful conduct, and we are thus required to deny your requested permit application pursuant to 35 P.S. §6018.503(d). The Department also finds that you lack the ability/or the intention to comply with statutes which protect the public health and safety of the environment pursuant to 35 P.S. §6018.503(c) based on the above-listed violations.

Mr. Louis Maslow

June 1, 1987

- 3 -

For the above reasons, your hazardous waste permit application, Application PAD980551162 originally submitted for the construction and operation of a commercial hazardous waste container storage facility on January 11, 1983, pursuant to §§104(13) and 503 of the Solid Waste Management Act, 35 P.S. 6018.104(13) and 6018.503 is hereby denied.

This action of the Department may be appealable to the Environmental Hearing Board, Third Floor, 221 N. Second Street, Harrisburg, PA 17101, (717-787-3483) by any aggrieved person pursuant to Section 1921-A of the Administrative Code of 1929, 71 P.S. Section 510-21; and the Administrative Agency Law, 2 Pa. C.S., Chapter 5A. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the regulations governing practice and procedure before the Board may be obtained from the Board. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Very truly yours,

WAYNE L. LYNN

Regional Waste Manager

cc: Delaware County Planning Dept.

Marcus Hook Borough

Mr. Gelburd

Mr. Hayes-DER, Harrisburg

Mr. Isreal-EPA, Philadelphia

Mr. Kuchinski-DER, Harrisburg

Mr. Holmes

Re 30 SW139.4





COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL RESOURCES  
1875 New Hope Street  
Norristown, Pennsylvania 19401  
215-270-1948

*Sam  
4.4.87  
(CD)*

June 1, 1987

*PAD 98 055 1100*

Mr. Louis Maslow  
Green Hill Apartments, Apt. W414  
101 City Avenue  
Philadelphia, Pennsylvania 19151

Dear Mr. Maslow:

We have completed our review of your hazardous waste management Part B application submitted in the name of East Coast Chemical Disposal, Inc. involving the construction and operation of a commercial hazardous waste storage facility to be located at 201 East Tenth Street, Marcus Hook Borough, Delaware County.

Your company, East Coast Chemical Disposal, Inc., has failed to respond to the last review letter from the Department dated October 11, 1985, even though representatives of this office met with representatives of your company in August of 1986 and requested the finalized version of the hazardous waste Part B application on which a draft permit would be based. East Coast Chemical Disposal, Inc. has not responded to the Department's letter of January 5, 1987 requesting the finalized version of the hazardous waste Part B application. This is in violation of 25 PA Code, Section 75.265(z)(7), which states that failure to furnish in full the information required by the Part B application shall be grounds for termination of interim status or denial of a permit application. This failure to supply the requested information within 90 days of the Department's request also constitutes sufficient grounds for denial of your application pursuant to 25 PA Code, 75.22(c).

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Your company has also failed to submit the necessary bond covering the total liability for closure of this proposed facility in violation of the Pennsylvania Solid Waste Management Act, the Act of July 7, 1980, No. 97, P.L. 380, P.S. §§6018.505(a) and 25 PA Code 75.311, which require hazardous waste management storage facilities to be bonded for an amount based upon the total estimated cost for the Commonwealth to complete final closure.

Mr. Louis Maslow

June 1, 1987

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Mr. Louis Maslow

June 1, 1987

- 3 -

For the above reasons, your hazardous waste permit application, Application PAD980551162 originally submitted for the construction and operation of a commercial hazardous waste container storage facility on January 11, 1983, pursuant to §§104(13) and 503 of the Solid Waste Management Act, 35 P.S. 6018.104(13) and 6018.503 is hereby denied.

This action of the Department may be appealable to the Environmental Hearing Board, Third Floor, 221 N. Second Street, Harrisburg, PA 17101, (717-787-3483) by any aggrieved person pursuant to Section 1921-A of the Administrative Code of 1929, 71 P.S. Section 510-21; and the Administrative Agency Law, 2 Pa. C.S., Chapter 5A. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the regulations governing practice and procedure before the Board may be obtained from the Board. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Very truly yours,

WAYNE L. LYNN

Regional Waste Manager

cc: Delaware County Planning Dept.  
Marcus Hook Borough  
Mr. Gelburd  
Mr. Hayes-DER, Harrisburg  
Mr. Isreal-EPA, Philadelphia  
Mr. Kuchinski-DER, Harrisburg  
Mr. Holmes  
Re 30 SW139.4

NOTICE OF PREPARATION FOR THE DENIAL OF A  
HAZARDOUS WASTE TREATMENT AND STORAGE FACILITY PERMIT

In accordance with the Pennsylvania Solid Waste Management Act of 1980  
Department of Environmental Resources, 1875 New Hope Street, Norristown,  
Pennsylvania 19401.

DATE OF THIS NOTICE: March 5, 1987

The Department of Environmental Resources has reviewed a permit application involving the establishment of a new hazardous waste facility for the storage and treatment of hazardous waste in containers at East Coast Chemical Disposal, Inc., located at 201 East Tenth Street, Marcus Hook Borough, Delaware County. A tentative decision has been made to deny this permit application. The Department of Environmental Resources will consider any public comments to be made at this time concerning this decision to deny the permit application.

The Commonwealth of Pennsylvania has received final authorization for their Hazardous Waste Management program. A Federal EPA permit will not be required to satisfy the 1984 Hazardous Waste Amendments to the Resource Conservation and Recovery Act because this application is for a new facility which does not have interim status as a hazardous waste management container storage and container treatment facility.

The permit application files and the Department of Environmental Resources' administrative records including the application plus all data submitted by the applicant, may be reviewed and copies may be made at the Department of Environmental Resources' Norristown Regional Office located at 1875 New Hope Street, Norristown, Pennsylvania 19401 between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. A copying machine will be provided for public use at a charge per page. Any person desiring further information, copies of a portion of the administrative record or an appointment to review the application should contact Ms. Barbara Bish at 215/270-1902. Any person desiring further information on a Department of Environmental Resources' Hazardous Waste Part B application should contact Mr. Lawrence Lunsik, Facilities Supervisor in Norristown at 215/270-1948.

Copies of the Hazardous Waste Permit Application and accompanying correspondence are also available at the Borough of Marcus Hook Administrative Building located at Tenth and Green Streets, Marcus Hook, Pennsylvania 19061 and also at the Delaware County Planning Department located at the Watkins Building, 315 North Middletown Road, Lima, Pennsylvania 19037.

East Coast Chemical Disposal, Inc. originally submitted an application for the construction and operation of a commercial hazardous waste container storage facility and container treatment facility on January 11, 1983. This was modified by amendments to the application dated December 15, 1983, February 2, 1984, April 4, 1984, June 1, 1984, August 3, 1984 and October 1, 1984. This facility is proposed to serve industries which generate various types of solvents and spent chemical wastes. The wastes are proposed to be stored in a container storage area divided into 15 separate cells where the total storage capacity of 5,000 containers or a total volume of approximately 274,830 gallons. Wastes are also proposed to be treated in 55-gallon drums by a neutralization

process and solidification by the addition of acids, alkalines, fly ash and vermiculite. The wastes after treatment would then be taken to recycling, treatment or disposal sites. Wastes in the container storage area would not be stored on the property for longer than one year. They would also have to be taken to recycling treatment or disposal sites.

East Coast Chemical Disposal, Inc. has failed to respond to the last review letter from the Department dated October 11, 1985 even though the Department scheduled a meeting with company representatives in August 1986 in an effort to receive the finalized version of the hazardous waste Part B application on which a draft permit would be based. There was a subsequent letter sent to the company on January 5, 1987, but as of this time we have still not received the finalized version of the hazardous waste Part B application.

The company has also failed to submit the necessary bond covering the total liability for closure of this proposed facility. This is in violation of 25 Pa. Code, Act 97, Section 505.

The landowner consent form originally submitted as part of this application, is no longer valid because the property has been purchased by the Marcus Hook Business and Commerce Center.

There has been a history of violations of both the Solid Waste Management Act and the Pennsylvania Clean Streams Law at Metro Container Corporation located in Trainer Borough, Delaware County. This indicates an unwillingness to comply with Pennsylvania environmental statutes which would prevent us from issuing the permit. This Company is owned by a principal party in East Coast Chemical Disposal, Incorporated.

#### PUBLIC PARTICIPATION:

Persons wishing to comment on the Department of Environmental Resources' decision to deny this application or on the permit application itself should submit their comments in writing to the Department of Environmental Resources, Attention: Mr. Wayne Lynn, Regional Solid Waste Manager at the above-listed address.

All persons including the applicant who believes that this tentative decision to deny this permit application is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments and factual ground supporting their position including any supporting material within 45 days from the date of this public notice. All supporting materials must be included in full and may not be incorporated by reference unless they are already part of the Department of Environmental Resources' administrative record on this permit action, or consist of state statutes and regulations or other general available reference material. Commentors shall make supporting material not already included in the administrative record available to the Department of Environmental Resources.

In the event the Department of Environmental Resources receives written objection to this decision and a request for a public hearing is made within the comment period referenced above, a public hearing shall be scheduled at a location convenient to the population center nearest to the proposed facility.

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Public notices of the public hearing shall be given at least thirty (30) days before the hearing.

Any relevant comments received within forty-five (45) days of the date of this public notice or within the time specified by the hearing chairman if a public hearing is held, will be considered in the formulation of a final determination regarding this application. After consideration of all written comments and of the requirements and policies of the Department of Environmental Resources and the state regulations, the Department will make a final decision concerning this permit application. At that time, the Department of Environmental Resources will notify the applicant and each person who has submitted written comments or has requested notice of the final permit decision. The final Department of Environmental Resources' decision will become effective thirty (30) days after the service of Notice of Determination. If no comments requesting a change in our tentative decision to deny this application are received, the final decision will become effective immediately upon issuance. The Department of Environmental Resources' permit action will be published in the Pennsylvania Bulletin and this action by the Department of Environmental Resources may be appealable to the Environmental Hearing Board, Third Floor, 221 North Second Street, Harrisburg, Pennsylvania 17101; telephone 717/787-3483, by any aggrieved person pursuant to Section 1921-A of the Administrative Code of 1929, 71 P.S. §§510.21 and the Administrative Agency Law, No. 2, Pennsylvania C.S., Chapter 5A. Appeals must be filed to the Environmental Hearing Board within thirty (30) days of the receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and regulation governing practice and procedure before the Board may be obtained from the Board. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Comments are requested only on the storage and treatment facility application described above. Comments outside the scope of this application will not be accepted nor be acted upon.

Re 30 SW30.5/.6



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL RESOURCES  
1875 New Hope Street  
Norristown, Pennsylvania 19401  
215-270-1948

June 1, 1987

*file*  
*PAD 98 055 1162*

Mr. Louis Maslow  
Green Hill Apartments, Apt. W414  
101 City Avenue  
Philadelphia, Pennsylvania 19151

Dear Mr. Maslow:

We have completed our review of your hazardous waste management Part B application submitted in the name of East Coast Chemical Disposal, Inc. involving the construction and operation of a commercial hazardous waste storage facility to be located at 201 East Tenth Street, Marcus Hook Borough, Delaware County.

Your company, East Coast Chemical Disposal, Inc., has failed to respond to the last review letter from the Department dated October 11, 1985, even though representatives of this office met with representatives of your company in August of 1986 and requested the finalized version of the hazardous waste Part B application on which a draft permit would be based. East Coast Chemical Disposal, Inc. has not responded to the Department's letter of January 5, 1987 requesting the finalized version of the hazardous waste Part B application. This is in violation of 25 PA Code, Section 75.265(z)(7), which states that failure to furnish in full the information required by the Part B application shall be grounds for termination of interim status or denial of a permit application. This failure to supply the requested information within 90 days of the Department's request also constitutes sufficient grounds for denial of your application pursuant to 25 PA Code, 75.22(c).

Your company has failed to submit the landowner consent form for the current property owner which is Marcus Hook Business & Commerce Center. Your original landowner consent form submitted in the hazardous waste Part B application is no longer valid for this reason. This is in violation of 25 PA Code, Section 75.265(z)(11)(iii) and Section 502(b) of the Solid Waste Management Act of 1980, 35 P.S. §6018.502(b), which states that the contractual consent of landowner form must be provided. This is interpreted to mean with the current landowner of the property where you plan to construct your hazardous waste commercial storage facility.

Your company has also failed to submit the necessary bond covering the total liability for closure of this proposed facility in violation of the Pennsylvania Solid Waste Management Act, the Act of July 7, 1980, No. 97, P.L. 380, P.S. §§6018.505(a) and 25 PA Code 75.311, which require hazardous waste management storage facilities to be bonded for an amount based upon the total estimated cost for the Commonwealth to complete final closure.

Mr. Louis Maslow

June 1, 1987

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There has been a history of violations of both the Solid Waste Management Act and the Pennsylvania Clean Streams Law at Metro Container Corporation (Metro) located in Trainer Borough, Delaware County. The listing of these violations will read as follows:

1. Disposing of residual waste on the surface of the ground without a permit in violation of Section 301, the Pennsylvania Solid Waste Management Act of 1980 on May 21, 1986, June 19, 1986, September 22, 1986, December 10, 1986, February 17, 1987 and May 19, 1987.
2. Disposing and/or processing residual waste in violation of Section 302(d)(1), 302(d)(2) and 302(d)(3) of the Pennsylvania Solid Waste Management Act of 1980 on May 21, 1986, June 19, 1986, September 22, 1986, December 10, 1986, February 17, 1987 and May 19, 1987.
3. Operation of a residual waste incinerator in violation of 25 PA Code §§5.30(m) and 75.30(g) on May 21, 1986, June 19, 1986, September 22, 1986, December 10, 1986, February 17, 1987 and May 19, 1987.
4. Discharging industrial waste to the surface of the ground and into both groundwater and surface waters in violation of Sections 301 and 307 of the Pennsylvania Clean Streams Law by discharging a polluting substance to the surface of the ground and into both groundwater and surface water in violation of Section 401 of the Pennsylvania Clean Streams Law on May 21, 1986, June 19, 1986, September 22, 1986, December 10, 1986, February 17, 1987 and May 19, 1987.
5. Failure to submit and implement an acceptable Preparedness, Prevention and Contingency Plan in violation of 25 PA Code §101.3(b).

This indicates an unwillingness to comply with Pennsylvania environmental statutes which would prevent us from issuing this permit. Metro is owned by you, a principal party in East Coast Chemical Disposal, Inc. The Pennsylvania Solid Waste Management Act, the Act of July 7, 1980, No. 97, P.L. 380, P.S. §6018.503(d) states that any person or municipality which is engaged in unlawful conduct as defined in this Act, or whose partner, associate, officer, parent corporation, subsidiary corporation, contractor, subcontractor, or agent has engaged in such unlawful conduct, shall be denied any permit or license required by this Act unless the permit or license application demonstrates to the satisfaction of the Department that the unlawful conduct has been corrected. The Department finds that you have not yet corrected the above-stated unlawful conduct, and we are thus required to deny your requested permit application pursuant to 35 P.S. §6018.503(d). The Department also finds that you lack the ability/or the intention to comply with statutes which protect the public health and safety of the environment pursuant to 35 P.S. §6018.503(c) based on the above-listed violations.



Mr. Louis Maslow

June 1, 1987

- 3 -

For the above reasons, your hazardous waste permit application, Application PAD980551162 originally submitted for the construction and operation of a commercial hazardous waste container storage facility on January 11, 1983, pursuant to §§104(13) and 503 of the Solid Waste Management Act, 35 P.S. 6018.104(13) and 6018.503 is hereby denied.

This action of the Department may be appealable to the Environmental Hearing Board, Third Floor, 221 N. Second Street, Harrisburg, PA 17101, (717-787-3483) by any aggrieved person pursuant to Section 1921-A of the Administrative Code of 1929, 71 P.S. Section 510-21; and the Administrative Agency Law, 2 Pa. C.S., Chapter 5A. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the regulations governing practice and procedure before the Board may be obtained from the Board. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Very truly yours,

WAYNE L. LYNN  
Regional Waste Manager

cc: Delaware County Planning Dept.  
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Re 30 SW30.5/.6